

Abortion and Society

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Abortion is an emotional topic that provokes strong reactions in almost all societies. There seems to be general agreement that women should be patronised when they become pregnant, and steered towards the expected outcome—carrying the pregnancy to term. People who are not directly involved with these unwanted pregnancies dominate the public debate. Not surprisingly, they operate on wrong assumptions or basic misunderstandings of how a pregnant woman should be treated and cared for.

Pro Life?

The first gross misconception is the assumption that making abortion illegal would be "pro-life" in any way. The first error in this argument is the exclusive focus on the foetus. The woman is totally ignored as if she doesn't count. The low value given to women's health is clearly shown in the recent Polish court case where a woman was forced to go nearly blind as a result of being denied an abortion. But "pro-lifers" go even further by negating women's lives completely, as shown by Nicaragua's recent abortion ban, which doesn't even allow exceptions when the woman's life is in danger. Where is the "Pro-Life" aspect in this case when the life of a woman and possibly that of her foetus has less value than upholding a pregnancy?

But even when abortion is legal to save a woman's life, it is rarely done. That's because one only knows if a woman's life is in danger after she's dead. If the woman is still alive but in poor health, there is always hope and always doctors to argue that the woman's condition might improve, so it's still "too early" to perform an abortion. I have personally witnessed countless situations where everyone watched a woman die because no-one dared to intervene and perform an abortion.

Second, this position implies one can "protect" life by reducing the frequency of abortions. There is no evidence at all that making abortion illegal reduces the numbers. What has been proven to reduce abortion is comprehensive sex education and unrestricted access to effective contraception and safe abortion services. Consequently, Dutch women have the lowest abortion rate in the world.

Far from reducing the frequency of unwanted pregnancies and abortions, making abortion illegal forces women to resort to illegal and mostly unsafe abortions. This endangers the health and life of women, which is precisely why almost all developed countries legalised abortion several decades ago.

The origin of the abortion law

Criminal laws against abortion originate from medieval times. Such laws did not have a single positive effect then, nor do they today. Making abortion illegal doesn't even increase the birth rate, a result that many leaders and dictators hoped for. In Poland for example, not only did the total fertility rate continue to decline after abortion was made illegal in 1993, it didn't even slow down. The decline continues today at the same rate. (Picture 1, graph with the declining total fertility rate in Poland)

Virtually all developed countries legalised abortion in the last century because they could no longer accept the tragic suffering and loss of their female population. However, abortion is still illegal in many developing countries, most of which were colonised, so they've kept the same abortion law introduced by their former colonial power. In other words, many developing countries still enforce a medieval European abortion law that was abandoned long ago by the country of origin. Why should we be surprised that the horrible suffering and dying of women, which was "normal" in Europe before abortion was legalised, is still ongoing in these countries?

Abortion and maternal mortality

If women have no access to legal abortion, they resort to illegal means. Women will often go to any lengths and will take any risk to end an unwanted pregnancy. "Any" means exactly that. Historical records, as well as reports from countries where abortion is still illegal, document the incredible extent to which women risk their health and even lives to obtain an abortion.

Illegal abortion is extremely risky. It is usually performed late, when the woman can't hide the pregnancy anymore. It is frequently performed by the woman herself or an untrained person, using an unsafe or primitive method. And the procedure is often done under unsafe conditions, increasing the risk of serious complications, such as perforation of the uterus, heavy bleeding, or infection.

Besides the medical risks, abortion done under illegal conditions is socially unjust. Women with means can usually pay for safe abortions. This leaves poor women at the mercy of illegal settings and high risks. And the risk to their lives is truly appalling. When abortion was illegal, hospitals in developed countries had separate wards to treat septic cases, which were mainly the result of botched abortions. These patients disappeared almost overnight after abortion was legalised. Older doctors and nurses still remember the horror of these days. But that exact situation still exists in countries where abortion is illegal. In East Africa for example, one out of 16 women dies from a pregnancy related cause, and more than 30% die because of an unsafe, illegal abortion.

There are very few exceptions to the rule that illegal abortion leads to increased maternal mortality. For example, four countries in Europe still criminalize abortion (Ireland, Portugal, Malta, and Poland), but they don't have a high maternal mortality rate. In these exceptional cases, women still have access to safe abortion services because they resort to abortion tourism by travelling to neighbouring countries. Three of these countries are small, with a well-developed travel infrastructure, and several abortion clinics near the border in neighbouring countries. In other words, the high levels of reproductive health of women in these countries depend mostly on safe abortion services provided across the border. It's safe to say that the illegal status of abortion in these countries can only be defended because women are well-treated across the border. Some politicians and religious fundamentalists from these countries frequently cite the low maternal mortality and the abortion ban. What they usually don't mention is the underlying and necessary abortion tourism that is a direct result of abandoning their female citizens.

Poland is a special case. Abortion was legal until 1993, so gynaecologists were well-trained and had been routinely performing abortions in hospitals. Today, they still perform safe abortions but do so in their private practise, charging outrageous fees of 500 Euro or more. (Picture 2 advertisement of a polish newspaper where gynaecologists advertise for abortion)

Do women need to be patronised?

Another fundamental misconception in the abortion debate is that society needs to intervene to make sure pregnant women make the "right" decision. All restrictions in reproductive health imply that pregnant women must be protected from themselves so they don't make a hasty decision against having a child. Total strangers declare themselves "advocates" of a pregnant woman's foetus, frequently taking a position against the pregnant woman or forcing her to behave in a certain way.

Such a position not only violates the fundamental rights of women, but is also an incredible insult to women. It's based on an arrogant, unthinking assumption that women in general are inferior to men. But most of all, this position is demonstrably false. There is no evidence whatsoever that paternalistic restrictions in reproductive health produce any positive effect. On the contrary: the deadly consequences of paternalistic structures are still responsible for high rates of maternal mortality in many countries.

Most societies have eased these restrictions in reproductive health and now enjoy high levels of good health and survival of women. Obviously, the pregnant woman is the only person who can make a responsible decision in the best interests of herself, her family, and her foetus. But so far, only Canada has implemented this insight by eliminating abortion from the penal code in 1988. There, abortion is a private decision between the patient and her doctor just like any other medical treatment. How long will it take for

other societies to follow this just and practical decision? Why is it so difficult for societies to give the power to decide to those who carry the consequences?

The diversity of values across Europe

Reference is often made to the positive aspects of diversity in the European Union and its pluralistic character. This argument is used to try and justify illegal abortion in the small minority of countries where abortion is still illegal.

In this context, anti-abortion laws are presented as a cultural specificity, almost like a folkloric detail, with the claim that this is important for the identity of a society. The injuries, deaths, and injustice suffered by women because of illegal abortion are ignored. It's highly cynical to label the violation of women's health and survival as a mere cultural detail. Are the basic values of the European Union valid only for men, and not for women? Should there be any place in the EU for a country that deprives 50% of its population of their fundamental rights? Why should any woman anywhere be exposed to unnecessary and serious risks to her health and life, on the grounds that it's important for a country's cultural identity?